

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:

SEAN FABICH

CASE NO. 21-53368

CHAPTER 13

DEBTOR

JUDGE JOHN E. HOFFMAN JR.

OBJECTION TO CONFIRMATION

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now Faye D. English, Chapter 13 Trustee and objects to confirmation of the plan and would show this Court that in the above-referenced case the Court should enter an order denying confirmation for the reasons set forth below and dismissing the case pursuant to 11 USC §1307(c) for the following:

- The Chapter 13 Statement of Financial Affairs, Plan, Means Test, or Schedules must be amended to reflect the changes in the following areas: Form 122C does not disclose any income received by the debtor. SOFA #4 does not disclose any year 2020 income for the debtor. SOFA does not disclose the transfer of a 2008 Honda.
- The plan does not meet the requirements of 11 U.S.C. § 1325(b) (the disposable income test). The Plan does not include language that any additional funds paid to the Trustee, including without limitation funds received pursuant to paragraphs 8.2 or 9.2, or remaining funds pursuant to paragraph 10.2, are to be paid to unsecured creditors via an increased unsecured dividend for a percentage plan or an increased unsecured minimum

dividend for a pot plan throughout the duration of the Plan.

X Requesting proof of income to support the Schedule I income disclosure. An agreed order to attempt to resolve the mortgage claim issues has not been provided for review by the Trustee's office.

Wherefore, the Trustee prays the Court deny confirmation for the reasons set forth and the case be dismissed or converted to Chapter 7, whichever shall be determined in the creditor's best interest.

Dated: 12/2/2021

Respectfully submitted,

/s/ Faye D. English

Faye D. English
Chapter 13 Trustee
One Columbus
10 West Broad St., Suite 1600
Columbus, OH 43215-3419
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Objection To Confirmation was served (i) **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and (ii) by **first class mail** on 12/2/2021 addressed to:

Sean Fabich
223 North Monroe Avenue
Columbus, Oh 43203

/s/ Faye D. English
Faye D. English (0075557), Chapter 13 Trustee